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wherein the first acoustic impedance and the second acoustic impedance have a contrast ratio of at least 25 to improve medical device echogenicity.

20. (added) The implantable echogenic medical device as in claim 19, further comprising porous particles fixed in the polymer, the porous particles being configured to absorb body fluid and have a third acoustic impedance that is higher than the first acoustic impedance.

21. (added) The implantable echogenic medical device as in claim 19 wherein the pores are at least 50 nanometers large.

REMARKS

Claims 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17 and 18 have been canceled. Claims 19, 20 and 21 have been added. Claims 1, 6 and 16 have been amended. Claims 1, 6, 16, 19, 20 and 21 remain pending in the application. Support for added claim 19 can be found in the disclosure on page 9, line 12 through page 10 line 20. Support for added claim 20 can be found in the disclosure on page 13, line 16 through page 14, line 27. Support for added claim 21 can be found in the disclosure on page 13, lines 3-8. Support for amended claims 1, 6 and 16 can be found in the specification, claims and drawings and more specifically in the disclosure page 9, line 12 through page 10 line 20. The applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and following response.

Attached to this reply are a marked-up version of the changes made to the claims labeled "Amended Claims Version With Markings To Show Changes Made."

Claim Rejections - 35 USC § 102

Claims 1, 2, 5, 6 and 8 stand rejected under 35 U.S.C. 102(b) as being unpatentable by Gomez Alvarez-Arenas et al. (IEEE Ultrasonics Symposium). Claims 5 and 8 have been cancelled rendering the rejection moot to those claims. Independent claims 1 (amended) and 6 (amended) recite an "echogenic medical device" having "a first acoustic impedance" and a

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polymer that has "a second acoustic impedance". Echogenicity is "the relative extent that a surface reflects incident ultrasonic energy directly back to a sensor or emitter of ultrasonic energy." (Disclosure, page 4, lines 24-26) It is submitted that Gomez Alvarez-Arenas et al. is directed to porous piezoceramic ultrasonic transducers. (Abstract and Introduction). The American Heritage Dictionary defines a transducer as "[a] substance or device, such as a piezoelectric crystal, microphone, or photoelectric cell, that converts input energy of one form into output energy of another." (4th Ed. 2000, p. 1832) It is respectfully submitted that echogenicity merely reflects energy while a transducer converts energy; therefore, Gomez Alvarez-Arenas et al. do not teach the problem to be solved by the claimed invention or allude to echogenicity. Additionally, claims 1 (amended) and 6 (amended) recite "a first acoustic impedance" and "a second acoustic impedance." Gomez Alvarez-Arenas et al. do not teach acoustic impedance. Further claims 1 (amended) and 6 (amended) recite "a ploymer" whereas it is submitted that Gomez Alvarez-Arenas et al. teach ceramics.

Accordingly, it is believed that claims 1 (amended) 6 (amended) overcome this rejection; therefore, the applicant respectfully request that the rejection be withdrawn.

Claim Rejections - 35 USC § 103

Claims 9, 10, 11, 14, 16 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gomez Alvarez-Arenas et al. in view of Hillenbrand et al. (IEEE Conference). Claims 9, 10, 11, 14, 15 and 18 have been cancelled rendering the rejection moot for those claims. Claim 16 (amended) recites an "echogenic medical device" having "a first acoustic impedance" and a polymer that has "a second acoustic impedance". It is respectfully submitted that Gomez Alvarez-Arenas et al does not teach or allude to claim 16 (amended) according to the response given above under 35 U.S.C. 102(b). Likewise, it is respectfully submitted that Hillenbrand alone or in combination with Gomez Alvarez-Arenas et al. does not teach or allude to claim 16 (amended) because Hillenbrand is also directed to piezoelectric devices, i.e., transducers, and more specifically to "permanently charged cellular polypropylene films." (Abstract) In Hillenbrand, injected gas bubbles change the charge of material, (Introduction) whereas in claim 16 (amended) the "blending the porous particles with the polymer" changes the acoustic impedance of the material. It is believed

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that claim 16 (amended) overcomes this rejection; therefore, the applicant respectfully request the rejection be withdrawn.

Claims 3, 4 and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gomez Alvarez-Arenas et al. as applied to claims 1 and 6 above and further in view of Bosley (US 5,289,831). Claims 3, 4, and 7 have been cancelled rendering the rejection moot.

Claims 12, 13, 15 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gomez Alvarez-Arenas et al. and Hillenbrand et al. as applied to claims 11, 14 and 16 above and further in view of Bosley. Claims 12, 13, 15 and 17 has been cancelled rendering the rejection moot.

In view of the above, it is submitted that all claims pending in the application are in condition for allowance. Accordingly, allowance of claims 1, 6, 16, 19, 20 and 21 is respectfully requested. Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail at the address below. I understand that a copy of these communications will be made of record in the application file. M.P.E.P. § 502.03.

Respectfully submitted,

Date: 30 JAN 2003

Medtronic, Inc.
Customer No. 27581
710 Medtronic Parkway (MS-LC340)
Minneapolis, MN 55432-5604

Attachment(s):

· Amended claims with markings.

Eric R. Waldkoetter Attorney Reg. No. 36,713

Located in The Netherlands (ET + 6 hours)

Office Tel 011 (31-43) 356-6845 Cell Tel 011 (31) 6 5155-9936 Office Fax 011 (31-43) 356-6521 eric.waldkoetter@medtronic.com

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Amended Claims Version With Markings To Show Changes Made

- 1. (amended) An echogenic <u>medical</u> device comprising a porous polymeric material <u>having a second acoustic impedance</u> that is at least a portion of a structural component of the <u>an echogenic medical</u> device <u>having a first acoustic impedance</u>.
- 2. The device of claim 1, wherein the porous polymeric material is preparable by providing a phase separated composition comprising a polymer and an extractable material, and extracting the extractable material from the composition.
- 3. (cancelled)
- 4. (cancelled)
- 5. (cancelled)
- 6. (amended) A method for preparing an echogenically enhanced <u>medical</u> device, the method comprising:

providing a phase separated composition comprising a polymer and an extractable material;

shaping the composition to form at least a portion of the an echogenic medical device having a first acoustic impedance; and

extracting the extractable material from the composition to create a second acoustic impedance.

- 7. (cancelled)
- 8. (cancelled)
- 9. (cancelled)

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10.	(cancelled)		
11.	(cancelled)		
12.	(cancelled)		
13.	(cancelled)		
14.	(cancelled)		
15.	(cancelled)		
16. metho	(amended) A method for prepard d comprising: providing at least a structural co		
imped		•	
	providing a polymer that is cura	ble by irradiation with ultraviol	et light;
	blending porous particles with t	he polymer to produce a compo	sition that is curable
by irra	diation with ultraviolet light;		
	applying the composition to the	•	
_	curing the composition by irrad	iation with ultraviolet light to cr	eate a second acoustic
<u>impeda</u>	ance.		

- a housing formed from a material having a first acoustic impedance:

(added) An implantable echogenic medical device, comprising:

(cancelled)

(cancelled)

17.

18.

19.

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a polymer covering at least a portion of the housing; and,

pores carried in the polymer, the pores containing air having a second acoustic

impedance that is higher than the first acoustic impedance,

wherein the first acoustic impedance and the second acoustic impedance have a

contrast ratio of at least 25 to improve medical device echogenicity.

- 20. (added) The implantable echogenic medical device as in claim 19, further comprising porous particles fixed in the polymer, the porous particles being configured to absorb body fluid and have a third acoustic impedance that is higher than the first acoustic impedance.
- 21. (added) The implantable echogenic medical device as in claim 19 wherein the pores are at least 50 nanometers large.

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P8580.03 P8623.00 P8722.00	TITLE: M INVENTORS US D Agent: TITLE: T INVENTORS US	EMPORARY ME OADED WITH Lindeman Gebhardt Hendriks VC RESPONSE: Struble,	P DICAL ELECT THERAPEUTIC s, Fredric , Ursula , Marc P -TRIGGERED Chester L. P	RICAL LI DRUG W.	LW091 LW091	Agent WG BIODI TFW Agent ARDIAC I		09/07/2001 E ELECTRODE MOD 09/842,232 04/26/2001 YSTEM 09/779,537 02/09/2001	UNTING PAD	-

06/24/2002

Docket No.		Rel. # Type			v. 	Attorney		App No		Pat	1
8892.00	us		F		091	TFW		09/727,462 12/04/2000			
	Agent:				A	gent Ref.	No:				
		MPLANTABLE MED : Ferek-Petri			TRY CONT	ROL SYSTE	MS ANI	METRODS O	P USE		
8936.00	US		F	LW	091	TPW	(10/132,510 04/26/2002			
		APTURE MANAGEM : Ferøk-Petri				gent Ref.	No:				
8937.00	VS		P	LW	091	TFW	(10/126,604			
		TECTING COAGUE C		ATION	A	gent Ref.	No:				
8943.00	บร		P	LW	091	TFW		09/742,118 2/22/2000			
		APLANTABLE MED Perek-Petri				gent Ref. NDS HAVIN		GRAL INPUT	DEVICE		
8946.00	US		P	. LW	091	TFW		10/132,320			
		TRASONIC SEPT Houben, Ric Donders, Ad	hard P M			gent Ref. BLE MEDIC	No:				
8975.00	US									—	
			P	LW	091	TFW		09/449,934 1/29/1999			
	Agent: TITLE: M	DIÇAL ELEÇTRI Smits, Kare	CAL LEAD	HAVING VA	Ag	gent Ref.	No:	1/29/1999			
	Agent: TITLE: M	EDICAL ELECTRIC Smits, Kare	CAL LEAD	HAVING VA	Ag	gent Ref.	No: IFFNES	1/29/1999 SS 09/947,065			
	Agent: TITLE: ME INVENTORS: US D Agent: TITLE: ME	EDICAL ELECTRIC Smits, Kare	CAL LEAD 1 F.A.A. F	HAVING VA	AÇRIABLE BI	gent Ref. ENDING ST TPW gent Ref.	No: IFFNES	09/947,065 19/06/2001			
8975.03	Agent: TITLE: MF INVENTORS: US D Agent: TITLE: MF INVENTORS:	EDICAL ELECTRIC Smits, Kare 01 EDICAL ELECTRIC Smits, Kare	CAL LEAD F.A.A. FCAL LEAD F.A.A.	HAVING VA	AÇRIABLE BI	gent Ref. ENDING ST TPW gent Ref.	1 No: IPFNES	09/947,065 19/06/2001			
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8975.03 9030.00	Agent: TITLE: ME INVENTORS: US D Agent: TITLE: ME INVENTORS: US Agent: TITLE: PA	EDICAL ELECTRIC Smits, Kare O1 EDICAL ELECTRIC Smits, Kare NCREATIC SECRI	CAL LEAD CAL LEAD F CAL LEAD F F THE STREET OF THE S	HAVING VA	RYABLE BE	gent Ref. TFW gent Ref. ENDING ST	No: IFFNES No: IFFNES No: IFFNES O	.1/29/1999 cs .09/947.065 .9/06/2001 cs .09/535,840 .3/28/2000			
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PATENT RECORD SEARCH

Docket No. CLTY Rel. Rel. # Type Status Group Div. Attorney App No Pat No. ===== P9258.00 US P LW091 10/132,509 04/26/2002 Agent Ref. No: Agent: TITLE: ABLATION METHOD AND MEDICAL APPARATUS USING SAME INVENTORS: Ferek-Petric, Bozidar LW091 P9416.00 09/764,700 US 01 F TFW 01/18/2001 Agent: Agent Ref. No: TITLE: SYSTEM AND METHOD FOR EMERGENCY COMMUNICATION BETWEEN AN IMPLANTABLE MEDICAL DEVICE AND A REMOTE COMPUTER SYSTEM OF HEALTH CARE PROVIDER INVENTORS: Haller, Markus Ferek-Petric, Bozidar Donders, Adrianus P. (Jos) P9417.00 US LW091 TFW 09/765,218 01/18/2001 Agent: Agent Ref. No: SYSTEM AND METHOD OF AUTOMATED INVOICING FOR COMMUNICATIONS BETWEEN AN TXTLE: IMPLANTABLE MEDICAL DEVICE AND A REMOTE COMPUTER SYSTEM FOR HEALTH PROVIDER INVENTORS: Haller, Markus Ferek-Petric, Bozidar Donders, Adrianus P. (Jos) P9418.00 09/764,681 US 01 LW091 01/18/2001 Agent Ref. No: Agent: TITLE: SYSTEM AND METHOD FOR REMOTE PROGRAMMING OF AN IMPLANTABLE MEDICAL DEVICE INVENTORS: Haller, Markus Ferek-Petric, Bozidar Donders, Adrianus P. (Jos) P9436.00 US LWO91 09/842,147 04/26/2001 Agent Ref. No: Agent: PRESSURE- MODULATED RATE-RESPONSIVE CARDIAC PACING TITLE: INVENTORS: Struble, Chester L. P9437.00 US LW091 TFW 10/126,538 04/22/2002 Agent Ref. No: Agent: TITLE: IMPLANTABLE DRUG DELIVERY SYSTEM RESPONSIVE TO INTRA-CARDIAC PRESSURE INVENTORS: Struble, Chester L. P9440.00 LW091 09/842,148 TEW 04/26/2001 Agent: Agent Ref. No: TITLE: DRUG DELIVERY FOR TREATMENT OF CARDIAC ARRHYTHMIA INVENTORS: Struble, Chester L. P9463.00 US LW091 TFW 10/126.858 04/22/2002 Agent: PRESSURE-MODULATED ENERGY LEVEL FOR PACING FULSES .. Agent .Ref. No: TITLE: INVENTORS: Struble, Chester L. P9464.00 บร LW091 10/126,539 TFW 04/22/2002 Agent: Agent Ref. No: TITLE: CARDIAC RESTRAINT WITH ELECTRODE ATTACHMENT SITES INVENTORS: Struble, Chester L. Grandjean, Pierre A. Zeijlemaker, Volkert A Smits, Karel F.A.A.

PATENT RECORD SEARCH

Div. Par No. Docket No. Rel. Rel. # Type Status Ctry Group Attorney App No 09/879,282 P9473.00 US LW091 06/12/2001 Agent Ref. No: Agent: DEEP TRENCH SEMICONDUCTOR CAPACITORS HAVING REVERSE BIAS DIODES FOR IMPLANTABLE TITLE: MEDICAL DEVICES INVENTORS: Houben, Richard P M Weijand, Koen J. P9475.00 US LW091 TFW 10/001,148 11/15/2001 Agent Ref. No: Agent: TITLE: MYOCARDIAL PERFORMANCE ASSESSMENT INVENTORS: Corbucci. Giorgio P9491.00 LW091 TFW 09/842,813 US Agent Ref. No: Agent: TITLE: CLOSED LOOP NEUROMODULATION FOR SUPPRESSION OF EPILEPTIC ACTIVITY INVENTORS: Wadman, Wytse Gielen, Frans L H P9511.00 US LW091 10/126,537 04/22/2002 Agent Ref. No: Agent: BURR HOLE ASSEMBLY FOR STEREOTACTIC FIXATION OF A BRAIN PROBE TITLE: INVENTORS: Gielen, Frans L H Cornu, Philippe P9557.00 បន P LW091 TPW 09/909,999 07/23/2001 Agent: Agent Ref. No: TITLE: CELL- BASED BIOSENSORS SUITABLE FOR IMPLANTABLE MEDICAL DEVICE APPLICATIONS INVENTORS: Houben, Richard P M Larik, Vincent P9648.00 LW091 10/126.522 US TFW 04/22/2002 Agent Ref. No: Agent: ANTI-TACHYCARDIA PACING BASED ON MULTI-SITE ELECTROGRAMS TITLE: INVENTORS: Struble, Chester L. P9711 - 00 LW091 60/371,543 04/11/2002 Agent Ref. No: Agent: METHOD AND APPARATUS FOR AUTOMATIC SHUTDOWN OF HIGH FREQUENCY DELIVERY UPON TITLE: CATHETER DISLOCATION INVENTORS: Eick, Olaf.J. -Peron, John C.M.J. P9774.00 us LW091 60/333,762 11/29/2001 Agent Ref. No: TRANS-SEPTAL MEDICAL ELECTRICAL LEADS AND METHODS OF STIMULATING A HEART TITLE: INVENTORS: Struble, Chester L. Prinzen, Frits W. Smits, Karel F.A.A. Muhlenberg, Lambert Grandjean, Pierre A. Michels, Koen Lokhoff, Nicolaas M. P9781.00 บร LW091 10/008,773 12/05/2001 Agent Ref. No: Agent: TITLE: DIRECTIONAL BRAIN STIMULATION AND RECORDING LEADS INVENTORS: Van Venrooij, Paulus Gielen, Frans L H Mullett, Keith R. Duysens, Victor

Gruia, Dan

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06/24/2002

PATENT RECORD SEARCH

Docket No. Ctry Rel. # Type Status Group Div. Attorney App No 10/131,256 P9897.00 US LW091 TPW

04/25/2002 Agent Ref. No: Agent:

TITLE: ULTRASOUND METHODS AND IMPLANTABLE MEDICAL DEVICES USING SAME

INVENTORS: Ferek-Petric, Bozidar Breyer, Branko

P9929.00 P LW091 TFW 10/127,041 บธ

04/22/2002

Agent: Agent TITLE: ANTI-SLIP LEADS FOR PLACEMENT WITHIN TISSUE Agent Ref. No:

INVENTORS: Struble, Chester L. Grandjean, Pierre A. Smits, Karel F.A.A.

> 98 TOTAL RECORDS REPORTED